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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,218	03/26/2004	Elva Lee Martyn	14676	8393
39747	7590	09/22/2005	EXAMINER	
GOLDSTEIN LAW OFFICES, P.C. 2071 CLOVE ROAD - 204 STATEN ISLAND, NY 10304			GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,218

Applicant(s)

MARTYN, ELVA LEE

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang (US Pat. 5,539,378).

In reference to claims 1, 2, Chang discloses the claimed electronic security system comprising a) the claimed transmitter positionable within a dead bolt housing within a door jamb of an existing door assembly, the transmitter being engaged when a dead bolt is positioned within the dead bolt housing in a locked orientation, the transmitter emitting a signal once the dead bolt is removed, the transmitter including an activation switch in communication, the activation switch positioned adjacent to the existing door assembly, which is met by the safety lock system including a signal transmitting means 3 including the main lock body 1 with latch pins 11, actuating member 12, deadbolt 13, fixing member 14 and key receiving mechanism 15. Microswitches 122, 142, 132 are situated such that when the deadbolt 13 is removed from a stopping member 21, the contact of a microswitch 132 fails to contact a rod 131 and an alarm signal will be transmitted to a remote receiving means 4 (col. 2, lines 36-67; col. 3, lines 1-38), and b) the claimed receiver in communication with the transmitter, the receiver having an internal alarm annunciator with corresponding on/off switch, the receiver receiving the signal from the transmitter, which is met

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by a receiving means 4 receives the signal from the transmitting means 3 and immediately actuates the alarm speaker 42; the receiving means 4 including several switches 43 to control the turning on/off of the receiving means 4 or to instantly actuate a test (col. 2, lines 46-60; Col. 3, lines 15-38).

In reference to claim 3, Chang discloses transmitter including an activation switch in communication therewith, the activation switch being positionable adjacent to the existing door assembly, which is met by transmitting means 3 includes a manual switch 33 for testing the system as well as for cutting the system on/off (col. 2, lines 25-60).

In reference to claim 4, Chang discloses the claimed internal alarm annunciator of the receiver has a corresponding on/off switch, which is met by the receiving means 4 including several switches 43 to control the turning on/off of the receiving means 4 or to instantly actuate a test (col. 2, lines 46-60).

3. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Pease, Jr. et al. (US Pat. 5,311,168), Ko (US Pat. 5,686,890) and Ferrantelli (US Pat. 5,754,107), which disclose door lock alarms.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.  
September 19, 2005

Davetta W. Goins  
Primary Examiner  
Art Unit 2632